

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

ORDER

This matter comes before the Court on the purported “Notice of Appearance Filing” [Doc. 17] made by Lisa Shannon, ostensibly on behalf of Defendant Heather Ann Tucci-Jarraf. The filing itself purports to “record” the “NOTICE OF APPEARANCE of Heather Ann Tucci-Jarraf as self, ‘pro per’ in the above titled Case, with full responsibility, liability and accountability and without prejudice.” However, it is signed by Lisa Shannon and not by Defendant Heather Ann Tucci-Jarraf.

The Court must strike this filing because it has no basis in fact or in law. First, the filing does not identify Lisa Shannon or explain her relationship to Defendant Tucci-Jarraf. Ms. Shannon does not indicate (or even hint) that she is an attorney for Defendant Tucci-Jarraf. Moreover, there is no such thing as a notice of appearance filed by one individual on behalf of another individual. Clearly, attorneys can file their notice of appearance in a case, but that is not what Ms. Shannon has filed here. Here, the Court simply has someone, identified only by name (Lisa Shannon), purporting to file a document (a Notice of Appearance) on behalf of a named defendant. Furthermore, while Ms. Shannon says she has the permission of Defendant Tucci-

Jarraf, there is no verification, and only Ms. Shannon has signed the document, not Defendant Tucci-Jarraf.

The Court is not ruling or even suggesting that Defendant Tucci-Jarraf cannot represent herself pro se (“pro per”) in this case. However, if Defendant Tucci-Jarraf chooses to represent herself, it cannot be by virtue of a filing by an unknown third person, but only by Defendant Tucci-Jarraf personally appearing before the Court, asking to represent herself, and knowingly and voluntarily waiving her right to be represented by an attorney. In this regard, the Court must determine that Defendant Tucci-Jarraf is aware of the risks and dangers of self-representation and is competently and intelligently choosing to represent herself. Therefore, the Court **ORDERS** that the purported “Notice of Appearance Filing” [Doc. 17] be **STRICKEN**.

IT IS SO ORDERED.

ENTER:

s/ C. Clifford Shirley, Jr.
United States Magistrate Judge